

The Chairman, James Giachino, called the meeting to order at 7:30 P.M., on Tuesday, April 24, 2001.

PRESENT: Kenneth Courtney  
James Giachino  
Michael Hutson  
Mark Maxwell  
Carmelo Milia  
Walter Storrs

ALSO PRESENT: Mark Stimac  
Lori Grigg Bluhm  
Pam Pasternak

ABSENT: Christopher Fejes

**ITEM #1 – APPROVAL OF MINUTES OF MEETING OF MARCH 20, 2001.**

Motion by Courtney  
Supported by Milia

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF MARCH 20, 2001 AS WRITTEN.

Motion by Courtney, (made later in the agenda) to excuse Mr. Fejes from this meeting as he was out of town.  
Supported by Maxwell

Yeas: 6 – Courtney, Giachino, Hutson, Maxwell, Milia, Storrs

MOTION TO EXCUSE MR. FEJES CARRIED.

**ITEM #2 – EVANSWOOD CHURCH OF GOD, 2601 E. SQUARE LAKE**, for renewal of relief to maintain a landscaped berm in place of the 4'6" high masonry wall required along the west side of off-street parking and relief of the 4'6" high masonry wall required along the north side of off-street parking.

This item was moved to the end of the agenda, Item #6, to allow the petitioner the opportunity to be present.

**ITEM #3 – PETRUZZELLO'S CATERING HALL, 6950 ROCHESTER ROAD**, for renewal of relief of the 4'6" high masonry screening wall required along a portion of the east and south property lines where parking abuts residential.

Mr. Stimac explained that the petitioner is requesting renewal of relief of the 4'6" high masonry-screening wall required along a portion of the east and south property lines of their site. This wall would separate the P-1 zoning from the residentially zoned property. Relief has been granted on a yearly basis since 1977, primarily due to the fact that the adjacent residential land is undeveloped. In April 2000 this variance was

**ITEM #3**

granted for a period of one year due to the fact that an application was received for the review of the zoning of the adjacent property. That request for rezoning was denied by City Council in September of 2000.

Mr. Frank Petruzzello was present and asked if this renewal could be extended for a period of three years. He also indicated that his family owned the property to the south.

Motion by Courtney  
Supported by Maxwell

MOVED, to grant Petruzzello's Catering Hall, 6950 Rochester Road, a three (3) year variance for relief of the 4'6" high masonry screening wall required along a portion of the east and south property lines where parking abuts residential.

- Variance is not contrary to public interest.
- Conditions remain the same.
- We have no complaints or objections on file.

Yeas: 6 – Giachino, Hutson, Maxwell, Milia, Storrs, Courtney  
Absent: 1 – Fejes

MOTION TO GRANT VARIANCE FOR THREE (3) YEARS CARRIED

**ITEM #4 – MR. THOMAS DUDZINSKI, 6352 RIVERTON**, for relief of the rear yard setback.

This item was moved to the end of the agenda, Item #7, to allow the petitioner the opportunity to be present.

**ITEM #5 – MR. & MRS. J. QUEENTRY, 2782 CONTINENTAL**, for relief of the rear yard setback.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a kitchen nook addition. Section 30.10.06 requires a 35' minimum rear yard setback in the R-1E Zoning District. The site plan submitted indicates that the proposed addition would result in a 27' rear yard setback. Mr. Stimac further explained that although the property in question is actually zoned CR-1, the site was developed as a single-family detached residential subdivision according to the R-1E standards as permitted by the Zoning Ordinance.

Mr. Joseph Queentry was present and stated that their home is very small and he and his wife have a very large family. Mr. Queentry also said that his wife would like the extra room to expand their kitchen, to enable them to have large gatherings in their

**ITEM #5**

home. Mr. Queentry also said that due to the fact that their lot is pie shaped, they couldn't construct this addition in any other location.

Mr. Storrs asked if they were planning to enclose their existing porch and Mr. Queentry replied that that was their intention. Mr. Storrs also asked if they had spoken to their neighbors and Mr. Queentry stated that they had and their neighbors did not object to this addition. Mr. Storrs pointed out that there was only one written approval on file.

Mr. Milia asked Mr. Queentry if he had built this home and Mr. Queentry stated that he had and that their home was one of the first in the neighborhood, and the house was put at the back of the lot because of The shape of the lot and the fact that they had a side entrance garage. Mr. Queentry stated that his home sits approximately 62' from the front property line.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Mr. Giachino asked Mr. Stimac about the zoning classification in this area and if other homes in the area had received variances, and Mr. Stimac said that he had not researched the records of homes in this area and could not comment on the amount of variances in the area.

There is one written approval in file. There are no written objections.

Motion by Milia  
Supported by Storrs

MOVED, to grant Mr. and Mrs. J. Queentry, 2782 Continental, a variance for relief of the rear yard setback to construct a kitchen nook addition, which will result in a 27' rear yard setback where 35' is required.

- Variance is not contrary to public interest.
- Irregularity of shape of lot creates a hardship for petitioner to comply with the rear yard setback.
- This variance will not have an adverse effect on surrounding property.

Yeas: 6 – Milia, Storrs, Courtney, Giachino, Hutson, Maxwell  
Absent: 1 – Fejes

**MOTION TO GRANT VARIANCE CARRIED**

**ITEM #6 (ITEM #2) - EVANSWOOD CHURCH OF GOD, 2601 E. SQUARE LAKE,** for renewal of relief to maintain a landscaped berm in place of the 4'6" high masonry wall required along the west side of off-street parking and relief of the 4'6" high masonry wall required along the north side of off-street parking.

This item was moved to the end of the agenda, Item #6, to allow the petitioner the opportunity to be present.

Motion by Courtney  
Supported by Hutson

MOVED, to table the request of Evanswood Church of God, 2601 E. Square Lake, for renewal of their variance until the next regularly scheduled meeting of May 15, 2001.

- To allow the petitioner the opportunity to be present.

Yeas: 6 – Giachino, Hutson, Maxwell, Milia, Storrs, Courtney  
Absent: 1 – Fejes

MOTION TO TABLE REQUEST UNTIL MEETING OF MAY 15, 2001 CARRIED

**ITEM #7 (ITEM #4) – MR. THOMAS DUDZINSKI, 6352 RIVERTON,** for relief of the rear yard setback.

This item was moved to the end of the agenda, Item #7, to allow the petitioner the opportunity to be present.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a family room addition. Section 30.10.02 requires a 45' minimum rear yard setback in the R-1B Zoning District. The site plans submitted indicate that the proposed addition would result in a 40.98' rear yard setback.

Mr. Milia questioned Mr. Stimac regarding the lot that is located behind this home, and Mr. Stimac stated that it is one piece of property that extends from Troy Valley to the back yards of the homes on Riverton.

Mr. and Mrs. Dudzinski were present. Mrs. Dudzinski brought in pictures taken from the back of their home indicating that their lot backs up to a stand of pines which would hide this addition from the owner of the property to the rear of their lot. Mrs. Dudzinski also said that Mr. Racine who is the owner of this property told them that he did not have any objections to this addition. She also presented letters of approval from six of her neighbors. Mrs. Dudzinski further stated that they had a deck on the back of their home which extended 22' into the rear yard, and they had just assumed that this

**ITEM #7 (ITEM #4**

addition would comply with the ordinance, since the addition will extend only 18' into the rear yard setback. Mrs. Dudzinski also said that they had taken the deck out and replaced it with brick pavers a number of years ago. Mrs. Dudzinski said that the reason they want to have this addition is due to the fact that there is a door wall on either side of the fireplace, it is very difficult to arrange furniture, which allows them to enjoy their yard. Mrs. Dudzinski also stated that they had looked into making the addition smaller, however, did not feel that it would look very appealing or would give them the room that they were looking for.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are fourteen (14) written approvals on file. There are no written objections on file.

Motion by Maxwell  
Supported by Courtney

MOVED, to grant the request of Mr. Thomas Dudzinski, 6352 Riverton, for relief of the rear yard setback to construct a family room addition that will result in a 40.98 rear yard setback where 45' is required.

- The property directly to the rear of this property, which is most affected by the variance, is a heavily wooded open space.
- The owners of the property most directly affected by this variance have given a written approval.
- Variance is not considered excessive.
- The variance will not have an adverse effect on surrounding property.

Yeas: 5 – Maxwell, Milia, Storrs, Courtney, Giachino  
Nays: 1 – Hutson  
Absent: 1 – Fejes

MOTION TO APPROVE VARIANCE GRANTED.

Mr. Stimac noted that this would most likely be the last meeting attended by Chairman Giachino and member Millia. He thanked both Mr. Giachino and Mr. Milia for their long history of service on this Board, and extended good wishes on anything they did in the future. Mr. Stimac also offered them an open invitation to any of the Board's future meetings.

The Board of Zoning Appeals meeting adjourned at 8:00 P.M.  
MS/pp